

**BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS**  
**IN MEDICINE AND SURGERY**

IN THE MATTER OF:

) Case No.: 3947

JEREMY W. WRAY, D.O.  
Holder of License No. 3638

)  
)  
) **CONSENT AGREEMENT FOR**  
) **FINDINGS OF FACT, CONCLUSIONS**  
) **OF LAW AND PROBATIONARY ORDER**

In the application to hold a license and practice  
of osteopathic medicine in the State of Arizona

By mutual agreement and understanding, the Arizona Board of Osteopathic Examiners (hereafter "Board") and Jeremy W. Wray, D.O. (hereinafter "Respondent"), the parties, hereto agree to the following disposition to this matter.

1. Respondent acknowledges that he has read this Consent Agreement and Order; and, Respondent is aware of and understands the content of these documents.

2. Respondent understands that by entering into this Consent Agreement and Order, he voluntarily relinquishes any rights to a hearing on the matters alleged as grounds for Board action or to seek judicial review of the Consent Agreement and Order in State or Federal Court.

3. Respondent understands that this Consent Agreement and Order will not become effective unless approved by the Board and signed by its Executive Director.

4. Respondent further understands that this Consent Order and Order, once approved and signed, shall constitute a public record which will be disseminated as a formal action of the Board.

5. Respondent admits to the statement of facts and conclusions of law contained in the Consent Agreement and Order.

6. All admissions made by Respondent are solely for final disposition of this matter and any subsequent administrative proceedings or litigation involving the Board, Respondent and

1 the State of Arizona; and, therefore, said admissions by Respondent are not intended for any  
2 other purpose or administrative regulatory proceeding or litigation in another State or Federal  
3 court.

4 7. Respondent acknowledges and agrees that upon signing and returning this  
5 document (or a copy thereof) to the Board's Executive Director, he may not later revoke or  
6 amend any part of the Consent Agreement and Order, without first obtaining Board approval.

7  
8 REVIEWED AND ACCEPTED THIS 15 DAY OF <sup>February</sup> ~~JANUARY~~, 2008.

9  
10   
11 \_\_\_\_\_  
12 Jeremy W. Wray, D.O., Respondent

13 **JURISDICTIONAL STATEMENTS**

14 1. The Board is empowered, pursuant to A.R.S. §§ 32-1800 et seq. to regulate the  
15 licensing and practice of osteopathic medicine in Arizona.

16 2. The Board has the authority to informally dispose by stipulation, agreed  
17 settlement, consent order or default pursuant to A.R.S. § 41-1092.05 (F)(5).

18 **FINDINGS OF FACT**

19 3. In September 2007 the Board staff received information from Sage Memorial  
20 Hospital that the Respondent had his hospital privileges suspended.

21 4. The Respondent was subsequently evaluate and assessed by Dr. Michel Sucher  
22 who recommended that the Respondent by evaluated by the Betty ford Center to rule out drug  
23 dependence.

24 5. Subsequently, the Respondent admitted that he had been using recreational drugs  
25 on a periodic basis and agreed to enter into evaluation and treatment at the Betty ford Center in  
California.

6. The Respondent entered and successfully completed an inpatient treatment program at the Betty Ford Center in Rancho Mirage California and was discharged December 2007.

#### CONCLUSIONS OF LAW

1. Pursuant to A.R.S. § 32-1800, et seq. the Arizona Board of Osteopathic Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

2. The conduct and circumstances described in paragraphs 4 through 9 above constitute unprofessional conduct as defined in the following paragraphs of A.R.S. § 32-1854:

(3) Practicing medicine while under the influence of alcohol, narcotic or hypnotic drugs or any substance that impairs or may impair the licensee's ability to safely and skillfully practice medicine.

(39) Any conduct or practice that impairs the licensee's ability to safely and skillfully practice medicine or that may reasonably be expected to do so.

#### ORDER

#### **NOW, THEREFORE, IT IS ORDERED AND AGREED AS FOLLOWS:**

Pursuant to A.R.S. §§ 32-1855 (C) and 41-1064 (C), License No. 3638 held by JEREMY W. WRAY, D.O., ("Respondent") shall be placed on **PROBATION** for **FIVE (5) YEARS** from the date of this order with the following terms and conditions of probation as set forth herein:

1. Respondent shall not practice medicine until such time as he successfully completes an in-patient evaluation and in-patient treatment program as recommended by a treatment and care facility approved by the Executive Director. Respondent must adhere to any and all recommendations of his evaluators upon release from the in-patient treatment program and appear before the Board prior to practicing medicine in the State of Arizona.

2. Respondent will develop a plan for aftercare treatment and monitoring which shall include, but may not be limited to, individual and/or group counseling sessions, random

1 body fluid testing, agreement for release of treatment records and reports to the Board,  
2 prohibition of the use of alcohol and controlled substances unless the latter is prescribed or  
3 coordinated by his treating physician, and regular meeting with the Board, and submit this plan  
4 to the Board for its approval.

5 3. From the date of this Order, Respondent shall obtain psychiatric or psychological  
6 treatment by a therapist(s) who is either a licensed psychiatrist and/or psychologist and is  
7 selected by Respondent and approved by the Board. Respondent shall comply with the therapist  
8 recommendation for the frequency of therapy treatment sessions. Respondent shall inform the  
9 Board by letter (mailed within ten days of the date of this Order) of the therapist's name; and,  
10 Respondent shall undertake and fully cooperate with a program of treatment established by the  
11 therapist. In the event Respondent changes therapists, he shall give the Board written notice  
12 within ten (10) days of said action. Respondent shall not discontinue or reduce the frequency of  
13 psychotherapy sessions until he has submitted a written request to the Board and obtained Board  
14 approval.

15 4. Respondent's therapist(s) shall receive a copy of this Order and Board staff shall  
16 cooperate with and disclose all relevant information in the Board's files concerning Respondent.  
17 The treating therapist shall be directed by Respondent to send to the Board a detailed written  
18 progress report every month for the remainder of the probation; and Respondent, shall waive any  
19 confidentiality concerning his psychotherapy in order that the Board may receive full disclosure  
20 of information. The expense of the aforementioned therapy and the reports to the Board by  
21 Respondent's therapist shall be the sole responsibility of the Respondent.

22 5. Respondent shall provide a copy of this Order and any subsequent Orders to all  
23 facilities where Respondent is currently (or subsequently) employed as a physician and/or has (or  
24 subsequently receives) privileges to engage in the practice of medicine. Respondent shall  
25 provide a copy of this Order to all treating physicians, dentists and or health care professionals.

1 Respondent shall continue to make the aforementioned disclosure and provide copies of this  
2 Consent Order until the expiration of this Order.

3 6. Respondent may have his license to practice as an osteopathic physician  
4 restricted, suspended or revoked by the Board in the future if:

5 (a) The Board finds that Respondent does not have the requisite mental, physical and  
6 emotional fitness to safely continue the practice of medicine; or,

7 (b) There are new grounds for finding unprofessional conduct concerning  
8 Respondent; or,

9 (c) Fails to comply fully with the terms and conditions of this Order.

10 6. Respondent shall abstain completely from the consumption of alcoholic beverages  
11 or any substance with alcohol (i.e., mouth wash, cough syrups); and, Respondent shall not  
12 consume illicit drugs or take any controlled substances (i.e., prescription only drugs), unless his  
13 treating physician prescribes such medication for him with the awareness that Respondent has a  
14 substance abuse disorder. Respondent shall maintain a monthly log (for the duration of  
15 probation) of all prescription only drugs taken by him and such log shall include the following  
16 information:

17 (a) the name of the medication;

18 (b) name of prescribing physician;

19 (c) reason for the medication.

20 7. At the first of each month, Respondent shall report by letter to the Board whether  
21 or not he is taking any prescription only medication and, if so, a copy of his log reflecting the  
22 above information.

23 8. Respondent shall also, as part of his probation: (A) submit to and cooperate in  
24 any independent medical or psychological evaluation that is ordered by the Board for  
25 Respondent and conducted by the Board's designated physician and/or psychologist which shall

1 be paid for by Respondent; and (B) appear before the Board, upon receipt of a request by written  
2 or telephonic notification from the Board's executive director which shall be given at least five  
3 (5) days prior to the Board meeting; and, (C) submit to random biological fluid testing and  
4 promptly provide (i.e., within sixty (60) minutes of notification) required biological fluids for  
5 testing and said testing shall be done at the Respondent's expense.

6 9. Respondent shall participate in 90 meetings in 90 days upon his discharge from  
7 the treatment facility and then in a minimum of three (3) self-help meetings per week through  
8 such organizations as A.A., N.A., C.A. and doctor's Caduceus group. Respondent shall keep a  
9 log of all meetings attended and have the log signed by the chairperson of the meeting.  
10 Respondent will provide the Board with a copy of the signed log the first of every month.

11 10. In the event Respondent moves and ceases to practice medicine in Arizona, he  
12 shall give written notice to the Board of his new residence address within twenty (20) days of  
13 moving; and, the terms and duration of probation may be stayed by the Board until Respondent  
14 returns to practice medicine in Arizona.

15 11. Respondent shall reimburse the Board for all expenses associated with the  
16 continued monitoring of this matter.

17 12. Respondent shall continue to meet all licensing requirements such as continuing  
18 medical education and renewal requirements including applicable fees pursuant to A.R.S. § 32-  
19 1825.

20 13. The Board's Executive Director shall send correspondence to the appropriate state  
21 and/or federal law enforcement agency disclosing information in the Board's possession which  
22 may establish criminal misconduct by Respondent, i.e., illicit use of controlled substances.

23 14. Respondent's failure to comply with the requirements of this Order shall  
24 constitute unprofessional conduct as defined at A.R.S. § 32-1854(26), as amended, and may be  
25 considered as grounds for further disciplinary action (e.g., suspension or revocation of license) in



1 the event that Respondent fails to comply with any of the requirements of this Order.



3 ISSUED THIS 20<sup>th</sup> DAY OF FEBRUARY, 2008.

4 STATE OF ARIZONA  
5 BOARD OF OSTEOPATHIC EXAMINERS IN  
6 MEDICINE AND SURGERY

7 By: \_\_\_\_\_  
8 Jack Confer, Executive Director

9 Original "Consent Agreement to  
10 Findings of Fact, Conclusions of Law,  
11 and Probationary Order" filed this 20<sup>th</sup>  
12 day of February, 2008 with the:

13 Arizona Board of Osteopathic Examiners  
14 In Medicine and Surgery  
15 9535 East Doubletree Ranch Road  
16 Scottsdale AZ 85258-5539

17 Copy of the foregoing "Consent Agreement to  
18 Findings of Fact, Conclusions of Law,  
19 and Probationary Order" sent via certified,  
20 return receipt requested this 20<sup>th</sup>  
21 day of February, 2008 to:

22 Jeremy W. Wray, D.O.  
23 PO Box 457  
24 Ganado, AZ 865055737

25 Copies of the foregoing "Consent Agreement to  
Findings of Fact, Conclusions of Law,  
and Probationary Order" sent via regular  
mail this 20<sup>th</sup> day of February, 2008 to:

Blair Driggs, AAG  
Office of the Attorney General CIV/LES  
1275 West Washington  
Phoenix AZ 85007

Kathy Fowler